

JANUARY 5, 2010

**BOROUGH OF CLIFFSIDE PARK
BERGEN COUNTY, NEW JERSEY**

**MINUTES OF THE SINE DIE MEETING
JANUARY 5, 2010**

CALL TO ORDER AT 5:00 P.M.

PRESENT AT ROLL CALL:

Mayor	Gerald A. Calabrese
Councilman	Bernard Fontana
Councilman	Larry Bongard
Councilwoman	Dana Martinotti
Councilman	Kenneth Corcoran

ABSENT AT ROLL CALL:

A MOTION WAS MADE AND SECONDED TO GIVE COUNCILWOMAN SPOTO AN EXCUSED ABSENCE.

A MOTION WAS MADE AND SECONDED TO GIVE COUNCILMAN T. CALABRESE AN EXCUSED ABSENCE.

FLAG SALUTE LEAD BY MAYOR CALABRESE

SERCAN ZOKLU STATED:

THIS IS A SINE DIE SESSION OF THE MAYOR AND COUNCIL, AND NOTICE WAS GIVEN AS FOLLOWS:

1. NOTICE FILED DECEMBER 19, 2009 WITH THE RECORD AND DECEMBER 22, 2009 WITH THE JERSEY JOURNAL DISPATCH, OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. POSTING OF NOTICE ON THE BULLETIN BOARD.
3. PRESERVING A COPY IN THE CLERK'S OFFICE.

UNFINISHED BUSINESS FOR THE YEAR 2009:

MINUTES OF THE REGULAR MEETING OF DECEMBER 8, 2009 WERE ACCEPTED ON A MOTION BY COUNCILMAN BONGARD, SECONDED BY COUNCILWOMAN MARTINOTTI, AND CARRIED.

CONSENT AGENDA:

CLAIMS:

On a motion by Councilman Bongard, seconded by Councilman Fontana, the claims were ordered paid.

ROLL CALL:

AYES: Fontana, Bongard, Martinotti, Corcoran. ABSENT: Spoto, T. Calabrese.

RESOLUTIONS:

On a motion by Councilman Bongard, seconded by Councilman Fontana, Resolutions 2009-268 to 2009-272 were offered for adoption:

ROLL CALL:

AYES: Fontana, Bongard, Martinotti, Corcoran. ABSENT: Spoto, T. Calabrese.

RESOLUTION 2009-268

WHEREAS, DONNELL HATTER OF 770 ANDERSON AVENUE B.3401 L.6 CP458 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$315.61 , WITH

JANUARY 5, 2010

THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 09-37 SOLD TO GIUSEPPE STELLA FOR 2008 TAXES IN THE AMOUNT OF \$96.24; AND

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN A CHECK IN THE AMOUNT OF \$315.61 FOR THE REDEMPTION OF SAID TAX TITLE LIEN; AND

BE IT FURTHER RESOLVED, THAT SAID CHECK'S BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO GIUSEPPE STELLA, 784 GLEN ROAD, CLIFFSIDE PARK, NJ 07010.

RESOLUTION 2009-269

WHEREAS, EDWARD AND CAROL FINKELDAY OF 618 PALISADE AVENUE B.2502 L.4 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$6,815.40 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 09-11 SOLD TO ROBERT ROTHMAN FOR 2008 TAXES IN THE AMOUNT OF \$5,417.49; AND

NOW, THEREFORE BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN A CHECK IN THE AMOUNT OF \$6,815.40 FOR THE REDEMPTION OF SAID TAX TITLE LIEN AND CHECK IN THE AMOUNT OF \$3,000.00 FOR PREMIUM PAID; AND

BE IT FURTHER RESOLVED, THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO ROBERT ROTHMAN, 411 GRAND AVENUE, ENGLEWOOD, NJ 07631.

RESOLUTION 2009-270

BE IT RESOLVED, by the Mayor and Council of the Borough of Cliffside Park that the following transfers be made between 2009 Current Budget Appropriations:

Account	To	From
SOLID WASTE COLLECTION S/W	180,785.96	
EMS AMBLANCE S/W	78,183.22	
VEHICLE MAINTENANCE	71,381.01	
LEGAL SERVICES & COSTS O/E	62,703.76	
FIRE S/W	35,000.00	
STREETS AND ROAD MAINT- O/E	31,015.41	
ELECTRICITY	27,884.75	
MUNICIPAL CLERK O/E	23,271.36	
SNOW REMOVAL S/W	19,275.91	
UNIFORM FIRE SAFETY ACT S/W	16,124.29	
BOARD OF HEALTH S/W	13,221.06	
PLANNING BOARD O/E	8,823.75	
RECREATION PROGRAMS S/W	6,271.77	
FIRE O/E	5,332.44	
REVENUE ADMIN S/W	5,299.48	
UNIFORM FIRE SAFETY ACT	4,861.42	
WATER	3,698.62	
TELEPHONE	3,613.01	
POLICE MISCELLANEOUS O/E	3,371.83	
FIRE HYDRANTS	3,340.18	
BOARD OF HEALTH	3,172.36	
EMERGENCY MANAGEMENT	2,410.96	
PUBLIC EMPLOYEES RETIRE.SYSTEM	2,036.61	

JANUARY 5, 2010

MAINTENANCE OF PARKS S/W	1,772.00	
ADMIN.OF PUBLIC ASSISTANCE S/W	1,129.71	
RENT LEVELING BOARD O/E	1,051.00	
ELEVATOR INSPECTOR	1,000.04	
MUNICIPAL PROSECUTOR S/W	999.84	
PLANNING BOARD S/W	99.72	
BUILDING INSPECTOR S/W		16,000.00
STREET LIGHTING		35,000.00
ENGINEERING SERVICE & COST O/E		64,000.00
INSURANCE - GROUP INSURANCE		105,000.00
STREETS AND ROAD MAINT. S/W		128,131.47
POLICE S/W		269,000.00

RESOLUTION 2009-271

WHEREAS, THE BOROUGH OF CLIFFSIDE PARK HAS OPEN BALANCES ON THE FOLLOWING CURRENT APPROPRIATIONS ACCOUNTS:

PAYMENT OF NOTES	\$ 145,700.00
INTEREST ON NOTES	4,457.38
EIT LOAN REPAYMENT	2,194.82
TREE PROGRAM	70,955.00
IMPROVEMENTS TO BOROUGH PROPERTY	50,000.00
SANITARY LANDFILL	100,000.00
POLICE S/W	250,000.00

TOTAL	623,307.20
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WHEREAS, ALL OF THE EXPENDITURES FOR THE FORESAID APPROPRIATIONS HAVE BEEN COMPLETED; AND

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE SAID APPROPRIATIONS BE CANCELED TO CURRENT ACCOUNT SURPLUS.

RESOLUTION 2009-272

WHEREAS, the Borough of Cliffside Park is currently the defendant in a lawsuit wherein 30 Fair Street, LLC (hereinafter "plaintiff/taxpayer") has appealed the assessment of taxes on property known as Lot 2 in Block 803 for the tax years 2008 and 2009 in the Tax Court of New Jersey; and

WHEREAS, the plaintiff/taxpayer has contended that the assessment on its property is excessive; and

WHEREAS, the plaintiff/taxpayer has proposed a certain reduced assessment to Frank Bucino, the Tax Assessor for the Borough, as a compromise and settlement of the above-referenced lawsuit in the Tax Court of New Jersey; and

WHEREAS, the Tax Assessor has engaged in negotiations with the attorneys for the taxpayer in connection with the proposed reduced assessment; and

WHEREAS, the Tax Assessor, Borough Attorney and Borough Appraiser, Robert McNerney have recommended that the Mayor and Council approve the following assessment on the subject property to effectuate a settlement of the lawsuit pending in the Tax Court of New Jersey:

Block:	803		
Lot:	2		
Year:	2 008	Land:	\$ 575,000

JANUARY 5, 2010

Improvements:	\$ 797,800
Total:	\$ 1,372,800

Year: 2009	Land:	\$ 575,000
	Improvements:	\$ 797,800
	Total:	\$ 1,372,800

Year: 2010	Land:	\$ 575,000
	Improvements:	\$ 697,800
	Total:	\$ 1,272,800

WHEREAS, after discussion and deliberation, it is the opinion of the Mayor and Council that the herein specified assessment be approved; and

WHEREAS, the Borough does hereby direct the Borough Attorney Christos J. Diktas, Esq. to undertake all necessary steps, actions and legal proceedings in order to effectuate the settlement of the above-captioned lawsuit; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Tax Assessor, Frank Bucino, and the Attorney, Christos J. Diktas, Esq. are hereby authorized to proceed and to undertake all necessary and proper steps, actions and legal proceedings to effectuate the settlement of the above-captioned lawsuit in accordance with the assessment set forth herein.

COMMITTEE REPORTS: ON FILE WITH THE MUNICIPAL CLERK.

REMARKS OR STATEMENTS MADE BY MAYOR AND COUNCIL MEMBERS.

PUBLIC PORTION:

On a motion by Councilwoman Martinotti, seconded by Councilman Fontana, the meeting was opened to the public. Carried.

PUBLIC PARTICIPATION: None.

On a motion by Councilman Bongard, seconded by Councilman Corcoran, the meeting was closed to the public.

ADJOURN:

On a motion by Councilman Fontana, seconded by Councilman Corcoran, the meeting was adjourned at 7:12 pm.

ATTEST:

APPROVED:

**SERCAN ZOKLU, RMC
BOROUGH CLERK**

**GERALD A. CALABRESE
MAYOR**